

terrific job for the Senate, and I personally appreciate him and value him as a friend.

After moving a mark through the committee, we relied on assistance from the Senate Legislative Counsel's office to put together the legislative text. That was a critical step, and we could not have done it without Mark McGunagle, Jim Fransen, and their team.

Then as we began to prep the bill for the floor, we spent countless hours debating different provisions before the Parliamentarian. This process can be difficult, and I would like to offer my thanks to our Parliamentarian, Elizabeth MacDonough, and her team for the hours and days they put into helping us comply with the rules of the Senate.

As the bill neared its final phase, we were grateful to be able to work with Senator MURKOWSKI on the second title of the bill, and as we moved to conference committee, Senator MURKOWSKI's counterparts in the House also played an instrumental role in helping to finalize this legislation.

Of course, there are those who work hard to make sure things go smoothly here on the floor. I thank the majority floor staff for their assistance, particularly, Laura Dove, Robert Duncan, and Megan Mercer.

As I said, this has been a long process, and throughout this entire venture, I have had the benefit of working with a skilled and committed staff. My staff have sacrificed time, energy, sleep, and, in some cases, likely their physical and mental health for the passage of this bill. It has been an incredible effort, and I need to thank all of them.

I want to single out my chief tax counsel, Mark Prater. I think everyone in this Chamber and everyone in Washington would agree that we could not have done any of this without Mark.

I also need to thank my staff director, Jay Khosla, who has been the tip of the spear, managing the incoming and outgoing issues with apparent ease. I also want to thank his assistant, Jason Stegmaier, for helping to keep Jay from forgetting the important details, like remembering to eat lunch.

I want to thank my entire tax staff: Jennifer Acuna, Tony Coughlan, Christopher Hanna, Alex Monie, Eric Oman, Marty Pippins, Preston Rutledge, and Nick Wyatt.

I need to thank the members of my senior team as well: Matt Hoffmann, Jeff Wrase, Julia Lawless, Jennifer Kuskowski, Chris Armstrong, Bryan Hickman, and Shane Warren.

I want to thank my communications staff on the committee: Katie Niederee, Nicole Hager, and Joshua Blume.

I also want to thank a couple of former Finance Committee staff members, specifically, Chris Campbell, my former staff director, who helped to set the stage for this entire effort, and Jim Lyons, my tax counsel who passed

away last year, much to the sorrow of us. He spent years working on tax reform, and I know we all wish he could have been here to celebrate with us this week.

From my personal office staff, I want to thank my legislative assistant, James Williams, and Matt Sandgren, my chief of staff.

There are many more people who deserve thanks this week—far too many to mention at this time. They are not forgotten, though, believe me.

We have done a good thing here this week. This is truly a historic success.

Some of our colleagues on the other side last night said that the American people will remember what happened here this week. To that, all I can say is that I hope they do. This new tax law will do a lot of good for a great number of people throughout our country, and I am humbled to have been a part of the efforts of so many people who were willing to get this thing done for the American people.

I am grateful to my staff. I am grateful to the staffs of our Senators on the committee. I am grateful for everyone involved in the Finance Committee and for the good efforts that they put forward. But I am really grateful that I serve in the U.S. Senate, the greatest deliberative body in the world, and this is a perfect illustration of why.

I am very grateful to be able to stand on this floor and show my complete devotion to this wonderful government. To both sides of the floor—Democrats and Republicans alike—I am grateful. I am grateful that we have this Constitution to guide us, and I am grateful that for the most part, we have abided by it.

With that, I yield the floor.

The ACTING PRESIDENT *pro tempore*. The Senator from Oklahoma.

#### NOMINATIONS PROCESS

Mr. LANKFORD. Mr. President, maybe my colleagues have heard through public and private conversations over the past year that I believe the Senate is moving gridlock from here on Capitol Hill to all across the city and across the Nation. The reason for that is how we do nominations and the length of time on nominations. It is time for the Senate to fix the Senate's rules.

Here is how it works. As this body knows extremely well, we have over 1,000 nominees who come from the President. In the first year of a new Presidency, a vast amount of time is spent in getting those 1,000 people through the nomination process. Each one of those is selected by the White House. They do their own vetting, and then they send them over to the Senate.

The Senate has the constitutional responsibility for advice and consent. When they come through the Senate, they will go through background checks, evaluations, and conversations with staff on both sides of the aisle.

They then come to the committee, go through a committee process and a hearing, they are voted on in that time period, and then they move to the floor.

When they move to the floor for debate, typically, for most of the years of the Senate, they have already gone through the committee process. Every Member of the Senate has the opportunity to be able to take a look at their information. And then they move through with a simple-majority vote. That is the way nominations have moved for most of the history of the Senate.

A few years ago—20 or so—some individual Senators started asking for cloture votes. Those cloture votes started to slow down the process on about 3 or 4 nominations a year; then it became 9 or so nominations a year; then it moved to as crazy of a number as 13 or so a year, of the 1,000 or so moving through.

That became such a nuisance that in 2013, my Democratic colleagues called for something they called the nuclear option, to say we will just take nominations not from 60 required to be able to get to cloture but just to 51. There was debate and internal conversation about that because Republicans, quite frankly, were holding up 15 or so nominations a year with the cloture process. So there was a big debate about that.

In the beginning of President Obama's second term, Republicans and Democrats came together and they changed the rules of the Senate for 2 years and said: OK, truce. The simple rule of the Senate was for any cloture vote, if there was one called for—again, typically, you would never call for one, but if there was one called for, there would be 2 hours of debate for a district court judge, 8 hours of debate for most nominees, and 30 hours of debate for Supreme Court, circuit court, or a Cabinet-level appointment. But even Harry Reid, when he stood on the floor, said this would be only—his words—“extraordinary circumstances” if you should ask for a cloture vote at all. But if they were asked for, it would be 2 hours, 8 hours, or 30 hours. Prior to that, all nominations were 30 hours of debate, literally taking up an entire day to move one person, knowing that you have to move 1,000.

A few months after that, still in 2013, Democrats still frustrated that Republicans were calling for some cloture votes still, moved to have the nuclear option entirely and just transition all nominations, except for the Supreme Court, to just 51 votes. So now they had the rule of expediting 2 hours, 8 hours, and 30 hours, and the new ability to move them all with just 51 votes.

Quite frankly, if you are going to change the rule to 51 votes, you probably need to change the cloture rule as well. They just did it in reverse. They changed the rule for how many hours it would take and then later changed the rule for how many people it takes to go through the process.

Now what has happened? Remember I argued that we had 13, 14, 15 people held up in cloture in a year? This year, so far, there have been 64 nominations held up in cloture votes. That is 64 days in the Senate we could do nothing else but sit here waiting. Now, it wasn't for debate. It may sound as if it is being held for 30 hours of debate for that time period. Debate normally didn't happen. Most of the time, this Chamber was empty. It was just that 30 hours was demanded to shut down the body as a whole, 64 of those in this year.

What has it brought us? It has brought us more animosity, more division, and more frustration. My Democratic colleagues a few years ago were screaming that we should have the nuclear option because Republicans were so irrational with 15 cloture votes. Yet we have watched 64 occur this year.

Earlier this week, I sat down with the Rules Committee and brought a very simple option to everyone, Democrats and Republicans alike, and we had a great turnout to be able to just talk through the process. My simple presentation was, let's take the rule that was agreed to in 2013, that Harry Reid and the Democrats brought at the beginning of the second term of President Obama, and let's have the rule for each nomination be 2 hours, 8 hours, and 30 hours. Let's move back to the tradition that Harry Reid had, which is to say let's make cloture votes only extraordinary on a nomination, if needed at all, but if they are, 2 hours, 8 hours, or 30 hours. To do the exact same thing now is what was agreed on in 2013 and 2014.

By the way, Republicans joined with Democrats during that time period and passed that new rule, which would put us at disadvantage with 78 votes.

I don't think it is too much to ask to say that if we are going to get the Senate back to work again, then let's actually get back to work again. Let's put us in a process that actually gets there.

What happens in the meantime when that does not occur? I will tell you what happens. In the meantime, we have agencies all over this town that can't answer a question because the bureaucrats are waiting on a Senate-confirmed individual to be able to lead that agency—to be the Secretary, Under Secretary, Deputy Secretary, whatever the task may be, the counsel for that particular agency—so they sit and wait. So our constituents who are trying to get a permit in certain places or trying to get an answer or trying to get disaster relief—all they can say in the office is, we can't do that until we get a Senate-confirmed position in place. But we can't get Senate-confirmed positions in place until my Democratic colleagues will actually allow individuals to actually come up and be debated.

What else happens? The other thing that happens is, we can't do legislation in this body; we can only do nominations. With 1,000 different positions

that are open, typically they move through rather quickly and they move through the process. But when 64 days are held up just for that, during that time period, you can't do anything else but sit and go through what is called the cloture 30 hours. You can't bring up other legislation.

Then what happens? Well, then my Democratic colleagues come to the floor and say: We haven't had a single debate in this body on CHIP. We haven't had a debate on infrastructure. We haven't had debate on any of these things. Why won't we move a bill on all of these things?

At the same time, they know it is because they blocked the floor from being able to move legislation because of continual cloture votes over and over and over. It is a bizarre game that doesn't lead to solutions; it leads to greater animosity. It is the same frustration that has existed for a while; it is just getting louder.

At some point, we have to put in a process and say: How do we get out of this? How do we fix this? I think the best way to fix this is to take a bipartisan solution that was agreed to before when Democrats were in the lead, to agree to it now and say that is going to be the permanent rule, just to be able to move a set of ideas.

For what is historically called the greatest deliberative body in the world, wouldn't it be nice to actually get back to deliberating again, spending more time on legislation rather than more time arguing about why aren't debating it when everyone secretly knows the reason, which is because we can't get it to the floor?

I do grow tired. I grow tired of hearing all the political statements and accusations.

Republicans hate children.

They want to throw them out.

They don't want them to have health care.

They hate people of color.

They are trying to exclude people from voting.

They are trying to keep people from having tax reform.

They only care about the wealthy.

Just over and over, when at the same time, the undercurrent is out there to keep anything from being discussed on the floor. It is an interesting strategy to paint your "enemy," but it doesn't help the country—intentionally divisive without a solution.

In 2001, the first year of a new President, there were 51 nominations pending that first year.

There is an interesting thing in the Senate rules. It is the wonderful rule XXXI that no one has heard of. It states that at the end of a year, any nominations that are still out there can be automatically thrown back to the White House and they have to start all over again. They have to renominate them. They have to go through the whole process. They have to go through committees.

At the end of the first year of President Bush, there were 51 nominations

still sitting there at the end of that year. On 49 of them, this body, by unanimous consent, said: No, we will just hold them over. We are fine. We don't have to send them all back to the President.

In 2009, in President Obama's first term, there were 72 folks. For 64 of those, this body—every Republican and Democrat—agreed to just leave them here and not make them go through the whole process again, which would have been absurd.

As of now, we have 122 pending at the end of President Trump's first year. I am interested to know, when Republicans gave Democrats unanimous consent to be able to maintain their nominations in the past, what happens now. Will this be yet another sign of pure politics rather than actually helping the country get stuff done?

I look forward to the day when we can work toward solutions, not just argue and banter back and forth with political statements. If we are going to get stuff solved, let's not pretend and play games and put each other down; let's actually sit down in a room and get stuff solved. Let's fix the rules of the Senate, whether they be the budget rules that keep us from actually having real budget debates or the rules of the Senate that keep us from actually working rather than allowing us to actually do work.

The rules of the Senate and the process in the Senate are determined by the Senators, so we alone are to blame when the Senate is not working. There is no finger-pointing. There is no "it is that party." There is no "it is that person." It is all of us.

So my recommendation is simple. Let's fix it. Let's resolve the issue. Let's do the right thing in the right way.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Colorado.

Mr. BENNET. Mr. President, this is not the topic that I came to the floor to talk about; I will talk about it in a minute. But while the Senator from Oklahoma is here, I thought I would just respond to what he was saying—not on the merits of his particular proposal, because I haven't had a chance to study that yet, but to his plea that this place start to work again. I couldn't agree more with that sentiment.

The Founding Fathers were very deliberate people, and they understood that in exercising self-government in the Republic that they were establishing, which subsequent generations of Americans have made more democratic over time, that we would have disputes. People these days in our political system and especially on the cable television at night seem to be astounded that there are people who don't see the world the way they see the world. The Founders knew that, by definition, if we were going to be a self-governing republic, we would have disagreements, and they set out to form

an incredibly elegant mechanism to resolve those disputes. It was elegant on the outside of this Chamber—freedom to assemble, freedom of speech, freedom of religion, the right to vote—and it was elegant on the inside of this Chamber. And generations of people who occupied this place understood that the way it was meant to work was not that you always got your way all the time and that part of being here was not just to have disputes but to resolve disputes—and not even our disputes but disagreements that the country might have for a legitimate reason—and, on average, hoped that we would move the country forward.

I quite agree that recently—certainly in the time that I have been here—we have been using this place simply to have disputes, not to resolve them. That may be OK if we were in North Korea or in the Soviet Union—the old Soviet Union; it doesn't work in a democratic republic.

I want to finish a little bit of the history that my friend from Oklahoma talked about. After the Democrats invoked the nuclear option, which I have said before on this floor is the worst vote that I ever took as a Senator, the now majority leader pocketed that precedent when we changed the rules in the middle and used it—used the nuclear option to change the rules so that now a person gets a lifetime appointment on the Supreme Court not with 60 votes but with just 51 votes. My issue with that is that now your party can advance people to the Supreme Court without any reasonable expectation that my party should take responsibility for it, or vice versa.

Instead of having potential nominees come here and say: You should put me on the court because I can attract both Democratic and Republican votes because I have an open mind, I worry we are going to have people from both sides say: We are going to have a litmus test for Supreme Court nominees, which says we either have the most conservative jurist in the country or the most liberal jurist in the country, depending on who it is. We have infected the Supreme Court with the partisanship of this body.

My hope is, we can actually come together on a set of rule changes that would recognize not just that this place may need to move a little faster in the 21st century but that we ought to be pushing people together to work in a bipartisan way on behalf of the country.

Without passing on the merits of the proposal, I thank the Senator for coming to the floor to talk about—to put it in the vernacular—how busted this place is.

#### DACA

Mr. BENNET. Mr. President, I wish to talk about the Dreamers.

As I have from the time I was a school superintendent in Denver until now, I had the opportunity to spend

time last weekend or the week before with a group of Dreamers in Alamosa, a small town in Southern Colorado.

These meetings are usually occasions for people to lay out their dreams for the future in America, the only country they know and the only country they love. This meeting was different than other meetings I have had recently. Instead of the hope and self-confidence I am so used to hearing from young people, what I heard was fear, anxiety, and pain.

Everybody in the group I met the other day came to this country as undocumented immigrants when they were children, some just months old. None of them made the decision to come here. They grew up here, and they know no other country besides the United States of America.

In 2012, they joined 800,000 Dreamers who came forward across the country to share their information for temporary legal status under the DACA Program. Over the past 5 years, many of these Dreamers grew into young adults, finishing school, starting families, launching businesses. They went about their lives, trusting our government would keep its word and find a way for them to stay in the only country they know. Then, in September, President Trump rescinded DACA, throwing every one of their lives into chaos.

During our meeting in Alamosa, not a single person could share their story without breaking into tears. One young man, Julio Maldonado, told me about the iPhone repair business he opened on Main Street. Like so many immigrants, he poured himself into that enterprise as an entrepreneur. Thanks to his efforts, it is now not only turning a profit, it is providing a service to his community and supporting his family. Now all of that is in jeopardy.

As I said, Julio couldn't tell his story without starting to cry. When he turned to his business partner who was also there to help, his partner began crying too. Versions of that played out again and again in our meetings and in the meetings I have been having here in Washington, DC, as Dreamers take the risk to travel to Washington to share their stories—honest dream after honest dream being crushed by uncertainty, young people trembling in fear.

We hear a lot around this place about how we don't have to act until the last moment. We don't have to act until March 5. This is not true. There are so many children, young people, and young adults in my State who are losing their status as we sit here, unable to accomplish something everybody seems to say they want to accomplish. The President says he wants to accomplish it. The Speaker says he wants to accomplish it. Senators on both sides say they want to accomplish it. We have created this crisis that President Trump set off when he rescinded DACA.

This isn't just affecting Dreamers, although that ought to be enough for us

to do the job we are supposed to do. For years, farmers and ranchers have told us they need workers with clear legal status. Undocumented workers have told us they face exploitation without legal resources. Families have told us they fear being split apart and sent to places they hardly know, and, today, this week, those fears were confirmed again as we lost another father from Colorado. Just last week, we had a family torn apart in Colorado.

Melecio Andazola came to America in 1998 as an undocumented immigrant. Over the last 19 years, he has paid taxes in America, he has raised four children in America, he has followed the rules. Then, on Friday, he was deported.

Now it is unclear whether he will ever see his daughter walk across the stage for her college graduation next spring at Yale, in New Haven. It is unclear how he will be able to support his four kids. Because of the choices we have made in Washington, the lives of everyone in that family have been spun into chaos, like so many other families across the country.

For years, stories like this have demanded action. That is why the Senator from Illinois who is here today, Senator DURBIN, has led this charge for so many years, standing on the floor with photos of the Dreamers from his State and across the United States. It is the reason I was so honored to have the chance to work with him and six others of our colleagues back in 2013, the so-called Gang of 8, a group of four Democrats and four Republicans.

I was just talking with my friend from Oklahoma about how this place doesn't work. That was an instance where it worked. We came together to write a bipartisan proposal for immigration reform. Over the course of 8 months, in Washington, we worked through a process that I think would make every American proud for once—both sides sitting down to solve problems. The result was a great piece of legislation.

Our bill had more funding for border security, not just a wall but smart and effective border security. It had more funding for internal security. It had a pathway to citizenship for the 11 million undocumented people who are here, including all of the Dreamers. Part of that bill had the most progressive DREAM Act ever written. It got 68 votes on the floor of the Senate. Not everyone got what they wanted. As I just said to the Senator from Oklahoma in a different context, it is unreasonable to expect that here. Each side had to give, but the result was a great vote. It got almost 70 votes in the Senate, at a time when you can't pass anything through the Senate.

For the first time in a generation, we had a real opportunity to resolve our differences on immigration, but as is so often the case in Washington, politics got in the way. In the House, Republican leaders denied our bill a simple up-or-down vote, which would have